

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LAVAR DAVIS,	:	CIVIL ACTION
	:	NO. 12-5628
Plaintiff,	:	
v.	:	
SOLID WASTE SERVICES, INC.,	:	
t/d/b/a J.P. MASCARO & SONS,	:	
Defendant.	:	
	:	
BENJAMIN GAY,	:	CIVIL ACTION
	:	NO. 12-5629
Plaintiff,	:	
v.	:	
SOLID WASTE SERVICES, INC.,	:	
t/d/b/a J.P. MASCARO & SONS,	:	
Defendant.	:	
	:	
THOMAS BRUCE JOHNSON,	:	CIVIL ACTION
	:	NO. 12-5630
Plaintiff,	:	
v.	:	
SOLID WASTE SERVICES, INC.,	:	
t/d/b/a J.P. MASCARO & SONS,	:	
Defendant.	:	

O R D E R

**AND NOW**, this **25th** day of **March, 2013**, after review of the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter (ECF No. 28) addressing several of Defendant's

motions as to Plaintiff Johnson's Complaint (No. 12-5630, ECF No. 1),<sup>1</sup> it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. Defendant's Motion to Dismiss (No. 12-5630, ECF No. 8) is **DENIED**;
3. Defendant's Motion to Strike Plaintiff's Answer (No. 12-5630, ECF No. 10) is **DENIED**; and
4. Plaintiff's Motion to Extend Time for Answer (No. 12-5630, ECF No. 11) is **GRANTED**.

**AND IT IS SO ORDERED.**

/s/ Eduardo C. Robreno  
EDUARDO C. ROBRENO, J.

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<sup>1</sup> The Court undertakes a de novo review of the portions of the Report and Recommendation to which a party has objected. See 28 U.S.C. § 636(b)(1) (2012); Cont'l Cas. Co. v. Dominick D'Andrea, Inc., 150 F.3d 245, 250 (3d Cir. 1998). The Court "may accept, reject or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). But in this instance, neither party submitted objections to Magistrate Judge Rueter's Report and Recommendation.